



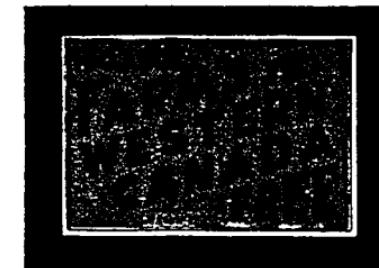
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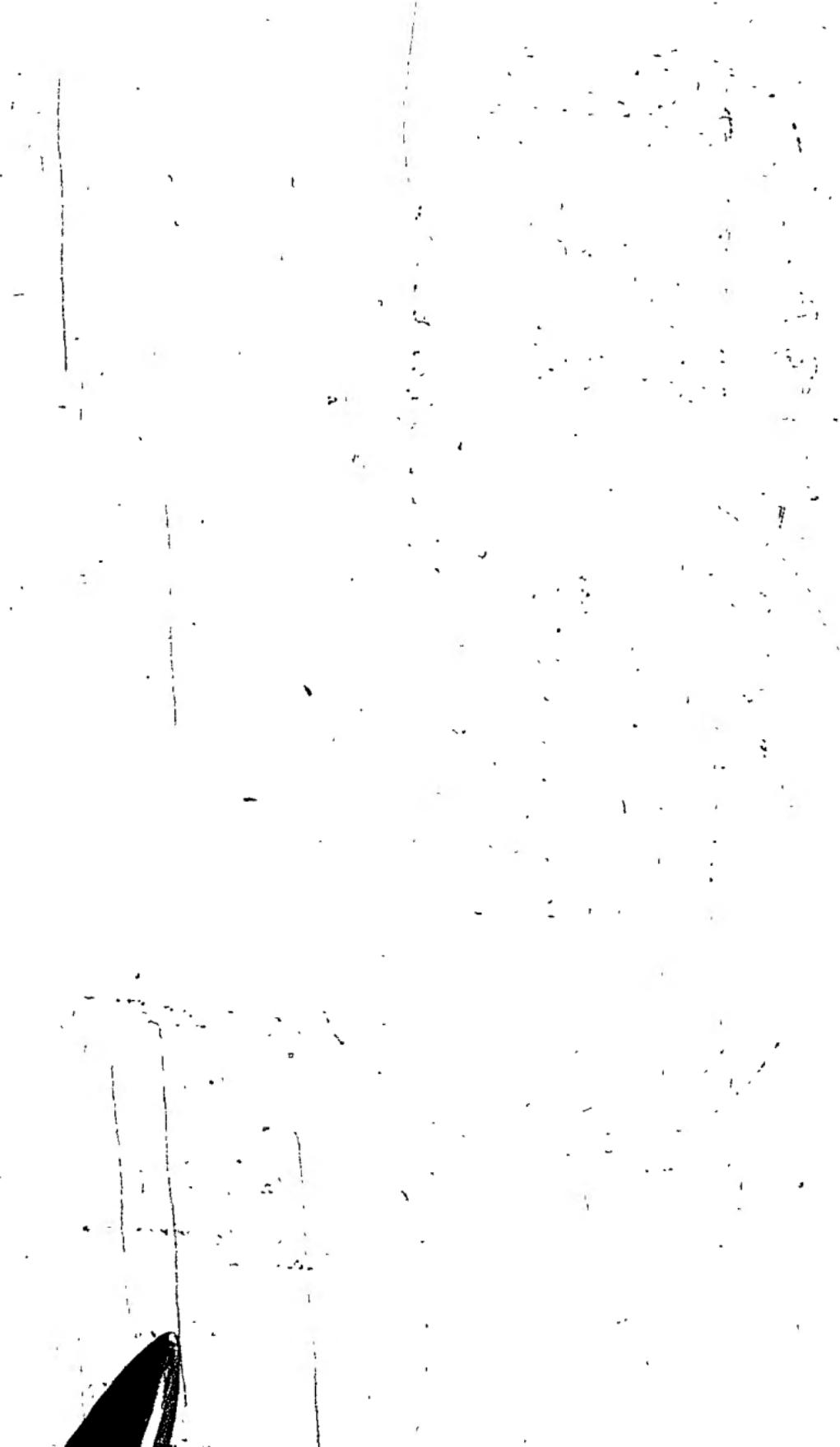
HINTS

TO

SETTLERS

CANADA





A Guide

TO HOMESTEADERS IN

MANITOBA

AND THE TERRITORIES OF

WESTERN CANADA

HINTS TO SETTLERS

WHAT A SETTLER SHOULD DO

— AND HOW HE SHOULD DO IT

WHAT HE SHOULD NOT DO

OTTAWA

GOVERNMENT PRINTING BUREAU

1898

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INTRODUCTION.



THE object of this publication is to assist the settler in acquiring a knowledge of what is necessary on his part to comply with the land regulations of the Department of the Interior, and generally to assist him in learning what he should do about his land, and how to do it.

By carefully reading the following pages and turning to them for guidance when the time for any action arrives he will probably save himself unnecessary correspondence and possibly some annoyance, if not direct loss.

The diagrams on the following page show a township divided into 36 sections of one square mile or 640 acres each : one section divided into 4 quarter sections of 160 acres each ; and one section divided into 16 subdivisions of 40 acres each.

Plan of Township, Section and Quarter Section.

N.						
W.	31	32	33	34	35	36
	30	29	28	27	26	25
	19	20	21	22	23	24
	18	17	16	15	14	13
	7	8	9	10	11	12
	6	5	4	3	2	1
S.						
E.						

N.W. $\frac{1}{4}$	
S.W. $\frac{1}{4}$	S.E. $\frac{1}{4}$

13	14	15	16
12	11	10	9
5	6	7	8
4	3	2	1

HOMESTEADING LAW.

Formerly the homesteading law required a five years' residence, but now only three years' residence is necessary, summarized as follows:—

By this system, after choosing a quarter of section of land, a settler applies to make entry for the same in the land office of the land district in which the land is situated. He is required to reside on the land for not less than six months of each year for three consecutive years, and to cultivate his land. He is allowed six months' grace after making entry for his land before living on it and cultivating so much of it as is required. If he should make his entry for the land on or after the 1st of

September, he is allowed until the 1st of June in the following year to what is called "perfect" (see page 7) his entry and begin the cultivation of and residence upon his land. This gives him ample time to close up all business and make his moving arrangements.

RESIDENCE.

A settler's time of residence counts from the date of perfecting his entry, and the full three years must elapse before he can obtain his patent. But he may make up his six months' residence in each year in broken time, that is to say, a month now and a month then, so long as the full six months is made up in each year. Twelve months for two



S. Clerk's farm, Roundthwaite, Man.

years made up of say four in one year and eight in another will not do. There must be six months' residence in each of the three years. The land re-

gulations of the Land Department provide that 15 acres shall be under cultivation at the end of three years.

A settler should remember that "residence" on the land means his own residence on it; not merely that of his family or of some one working for him. One house will not do for two homesteads, even when built on the line dividing the two homesteads; each settler must have a house of his own.

In the case of young men qualified to make homestead entry, residence is permitted with the parent, providing the parent is a farmer.

KEEPING A DIARY.

A settler should keep a rough diary, showing his movements. He will then have all the dates of his entry, residence, &c., at hand, and will be in a better position to answer any questions that may arise in his dealings with the Department. At the end of this book will be found some pages in diary form for the settler's use.

MAKING AN ENTRY.

It should always be remembered that there is a material difference between "making" an entry for a quarter section of land and "perfecting" that entry. When the entry is made the settler is given six months' grace to get himself and his family ready to go into residence, and during this time of grace the Government protects his land for him. At the expiration of the six months (unless in case where the Government may extend the

time), he must begin to reside on the homestead, and thenceforward conform to the rules as to residence and cultivation. If the settler fails to perfect his entry before the six months' grace has expired, he runs the risk of some one else entering for his land. In a case of this kind the Land Department would cancel his first entry.

PERFECTING AN ENTRY.

The so-called "perfecting" the entry means the going into actual residence on the homestead land, and the year for calculation of duties begins from the date of this perfecting. It is important to remember this. A settler, however, can start "perfecting" at the same time that he makes his entry if he chooses to do so. As an example, a settler, perfecting his entry under the ordinary three year system, by commencing actual residence on the homestead say, the 1st of May, must reside for six months between that date and the 1st of May of the following year; and so on between the 1st of May in each year and the 1st of May in the next year until his three years from the date of perfecting his entry are completed. A settler cannot make up a missed portion of one year by extra residence in the succeeding one.

LEAVE OF ABSENCE.

The Department, however, may give a settler leave of absence from his homestead, and during such authorized absence his homestead cannot be cancelled on application by any one else, but the

time during which he is away will not be counted as residence. Thus, if absent for over six months he would be unable to do six months' residence in that year, and that year would therefore not be counted. Absence over six months without the Department's permission will render the settler liable to lose his homestead.

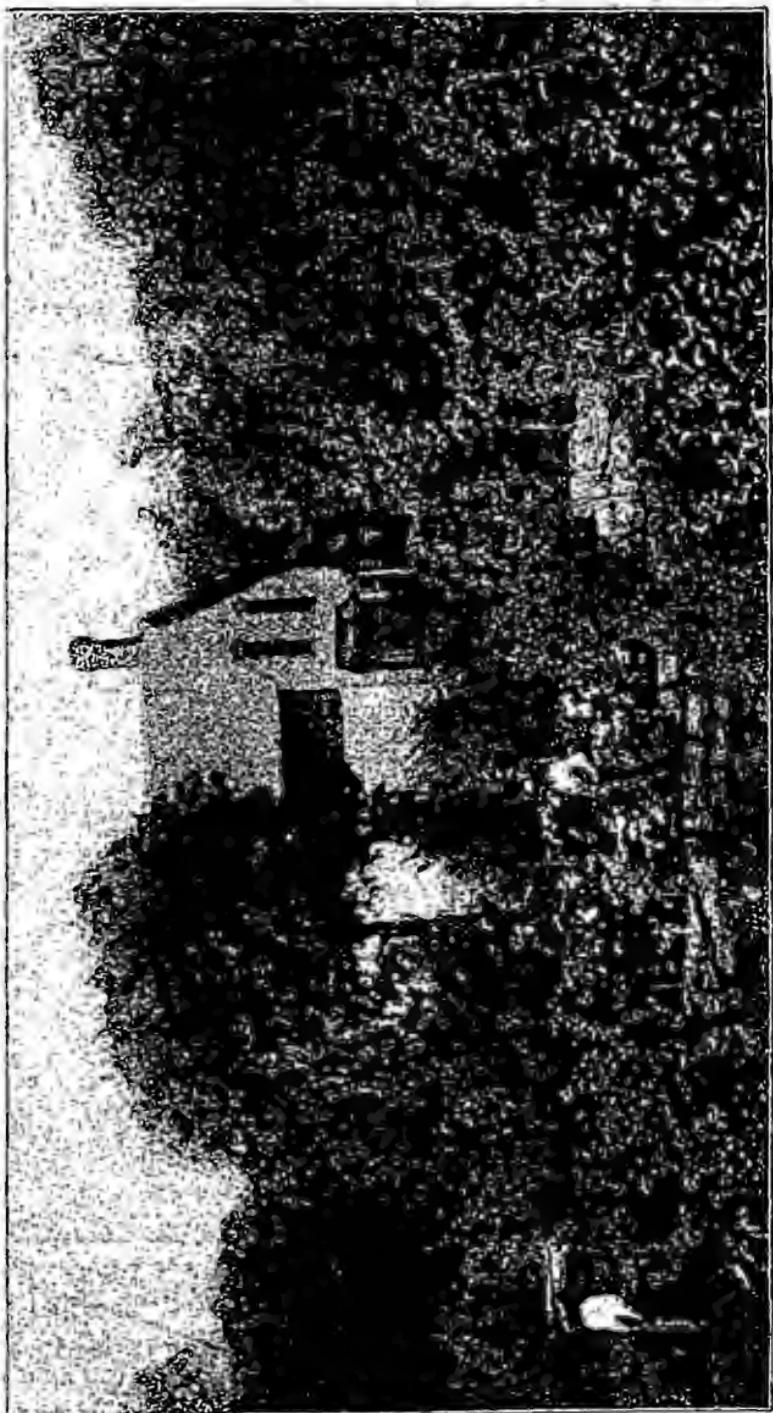
The settler must give six months' notice to the Department at Ottawa of his intention to apply for his patent, so that the homestead inspector may visit the homestead and report to the Deputy as to compliance with the regulations.

ASSIGNING A HOMESTEAD.

The Department may require a declaration from the settler to show that the homestead right has not been assigned. A settler cannot make an assignment of his homestead or any part of it before receiving his patent. Assignments of homestead lands or agreements to assign are not permitted before issue of patent.

A settler may borrow money, or may put a lien on the property upon receiving a certificate of recommendation from the Land Department.

A settler may make application for his patent to the agent of Dominion lands at the nearest office or to the Homestead Inspector, who is authorized to receive such applications. A fee of \$5 is charged when the application is made before the Homestead Inspector, and this must be paid before the application is approved. This enables the settler to call his witnesses if required who are his imme-



Garden Scene in Manitoba.

diate neighbours; and therefore on the spot and saves trouble, and sometimes a long journey.

APPLY PROMPTLY FOR PATENT.

A settler should make application for his patent as soon as he is entitled to receive it. In any case, patent must be applied for within five years from the date of his entry. If he fails to do so, his entry is liable to forfeiture.

FOREIGNERS.

A foreigner may enter land for a free homestead, but he must become naturalized before he can obtain a patent for it. If not already a British subject he must reside three years in the country to become naturalized. To become a British subject a settler of foreign birth should make application to any one authorized to administer oaths in a Canadian court, who will instruct him as to the details of completing his naturalization.

CHANGING THE HOME- STEAD.

Should a settler find that he has accidentally settled upon a quarter section of land, which will not repay the labour expended on it, he may apply to the Commissioner of Lands, Ottawa, stating fully the case, and asking for permission to change his entry. If the Commissioner is satisfied that the settler is entitled to a change, he will grant it on the usual terms and conditions.

PURCHASE THE HOME-STEAD.

If a settler has resided on his land for a period of twelve months, brought 30 acres under cultivation, and pays the regulation price for the land, he can obtain the patent to his homestead.

A homesteader may purchase from the Government at the current rate, one of the quarter sections adjoining him, provided it is vacant. He will be required to pay one-fourth of the money down, and the balance in three equal annual instalments, with interest at 6 per cent per annum.

PAYING FOR LAND.

Dues should be paid to the authorized Government Agent alone. If the settler is within reach of the Government Land Office he can pay the money direct to the Government Agent ; if too far away he can send it by post office order or by registered letter.

Persons not being homesteaders and desiring to buy Dominion lands can make application to the Commissioner of Lands at Ottawa, when the application will be considered on its merits. When it is necessary to send a payment to Ottawa the order or cheque should be made payable to the Deputy of the Minister of the Interior.

WATCH THE INTEREST.

A settler should pay for his land as quickly as he can to avoid accumulation of interest.

SCHOOL SECTIONS.

Sections 11 and 29 in each township are school lands, and are sold from time to time to create a fund for educational purposes. As these lands are held for the public use, settlers should assist the Government in preventing their being used by unauthorized persons. These lands can be disposed of only by public auction, but a school section or a quarter of it may be leased for hay at 25 cents per acre, or for grazing at 6 cents per annum in Manitoba, and 4 cents in the North-west Territories. Application for this should be made to the local Dominion Lands Agent. Payment for school lands is made in one-fifth cash at time of purchase



Pierson School, Pierson, Manitoba.

and the balance in four equal instalments, with 6 per cent interest. These sales are well advertised beforehand. Where school lands have already

been cultivated, but have fallen into disuse, the Department will issue permits to a settler to cultivate such broken area at the rate of 50 cents per acre per annum ; the permit to cover two seasons if the land has to be summer-fallowed, but the fee being charged for one season only, no additional breaking is permitted.

HUDSON'S BAY COMPANY'S LANDS.

These lands comprise one-twentieth part of all the fertile belt, and in the surveyed townships consists of sections 8 and three-fourths of section 26 in each township. The terms for these can be obtained on application to the Hudson's Bay Company's Land Office, Winnipeg.

RAILWAY LANDS.

These lands consist of the odd-numbered sections of such townships as are given over to this purpose. They vary in price, but a settler desiring to purchase or lease any section or part of it can obtain particulars, price, &c., by writing to the Land Commissioner of each of the various railways having lands to dispose of, or can learn the current price from the railway company's agent in the district where the land is situated.

CANCELLATION OF ENTRY.

Should a settler desire to obtain a cancelled homestead, for himself or a friend who wishes to

settle near him, he should, after ascertaining on which quarter section the requisite duties have not been performed, apply to the local Lands Agent, who will give him a form to fill up and return. Notice is then given to the settler whose land is to be cancelled, who may or may not show cause why his homestead entry should not be cancelled. If he desires to defend his entry, he should send his statement, evidence, &c., to the Local Agent, who will send it to the Commissioner at Ottawa. If his reasons are sufficient, cancellation will not be made; if not, it will be, but the settler can appeal to the Minister of the Interior at Ottawa. If no defence of the entry is made, the agent will cancel it at the expiration of sixty days.

On improved land being cancelled and retaken, the new-comer will be required to pay the amount at which these improvements are valued. This money will be paid over to the original homesteader or held by the Government, according to circumstances.

POST OFFICE ADDRESS.

Before leaving his homestead the settler should leave a post office address at which he can obtain his letters while away. He may not intend to be off long, but circumstances may occur that will take him further and keep him longer away than he intended. If he is not careful he may overstay the time allowed, and find on his return that his homestead entry has been cancelled and taken up by some one else. Better be sure than sorry, and

take no chances of land notices or other letters being held at his proper post office awaiting his return. If anything goes wrong as to time and absence, he may lose his land, and at any rate is pretty sure to be compelled to make a fresh entry.

PATENTS.

When a Manitoba settler obtains his patent from the Department he should put it carefully away. If he wants at any time to sell or mortgage his land he will require his patent, and if he has lost it he will have to pay \$2.50, and in some cases \$10, to get a new one. A settler in the Territories gets a certificate of ownership from the registrar of the district, which is a title to his land and practically the same as a patent. A new certificate is made out whenever the land is transferred.

REGISTRARS.

Alberta North, E. Roy, Edmonton, Alt.

Alberta South, Horace Harvey, Calgary, Alt.

Saskatchewan West, J. W. Scott, Battleford, Sask.

Saskatchewan East, S. Brewster, Prince Albert, Sask.

CANCELLATION OF PATENTS.

A patent is a title to the land, but a patent may be disputed in the courts if obtained by fraud, error, or improvidence. Any slight mistake, such

as a wrongly spelt name or other clerical error does not vitiate a patent. The settler can write to the Lands Office at Ottawa and it will be put right. But if the settler has made a mistake that may be material, the rectification of it may cost him \$10 for a new patent.

FEES.

Ten dollars on making entry for a homestead. If on land previously entered by some one else and cancelled, a further cancellation fee of \$5 or inspection fee of \$10, but this latter only when the land has been actually inspected. In addition, there is a fresh entry fee if the settler changes his entry for other land or changes his homestead on to land he may have purchased. And a fee of \$5 on making an application for patent or at any rate before the patent is issued, if the application is made before the Homestead Inspector, but not if he makes the application to the Land Office. Nothing more is charged for the patent, but if any mistake of the settler requires the issue of a new patent, he is then charged \$10. If, when the settler has obtained his recommendation for patent, he should desire to assign his right to the land, he must forward a registration fee of \$2 to the Department with the assignment. This assignment must be unconditional, and be accompanied by an abstract of title to date if the land is in Manitoba.

SETTLERS' EFFECTS.

Settlers' bona fide effects come into the country free of duty, and these include one head of stock

for every ten acres the settler intends taking up, and one sheep for each acre. Entry of cattle is, of course, subject to any quarantine regulations that may be in force.

Under the Real Property Act of Manitoba, upon the decease of a settler, the patent will issue to his representatives. If a settler dies intestate, the personal representative will be the official administrator appointed by the court. In case the deceased made a will, the executors named therein will be the personal representatives to whom the patent will issue after the will has been proved in the court for the district within which the deceased's homestead is situated.



A Railway Station in Manitoba.

In Manitoba there is an Official Administrator, whose duty it is to take out letters of administration in cases where, owing to want of means or

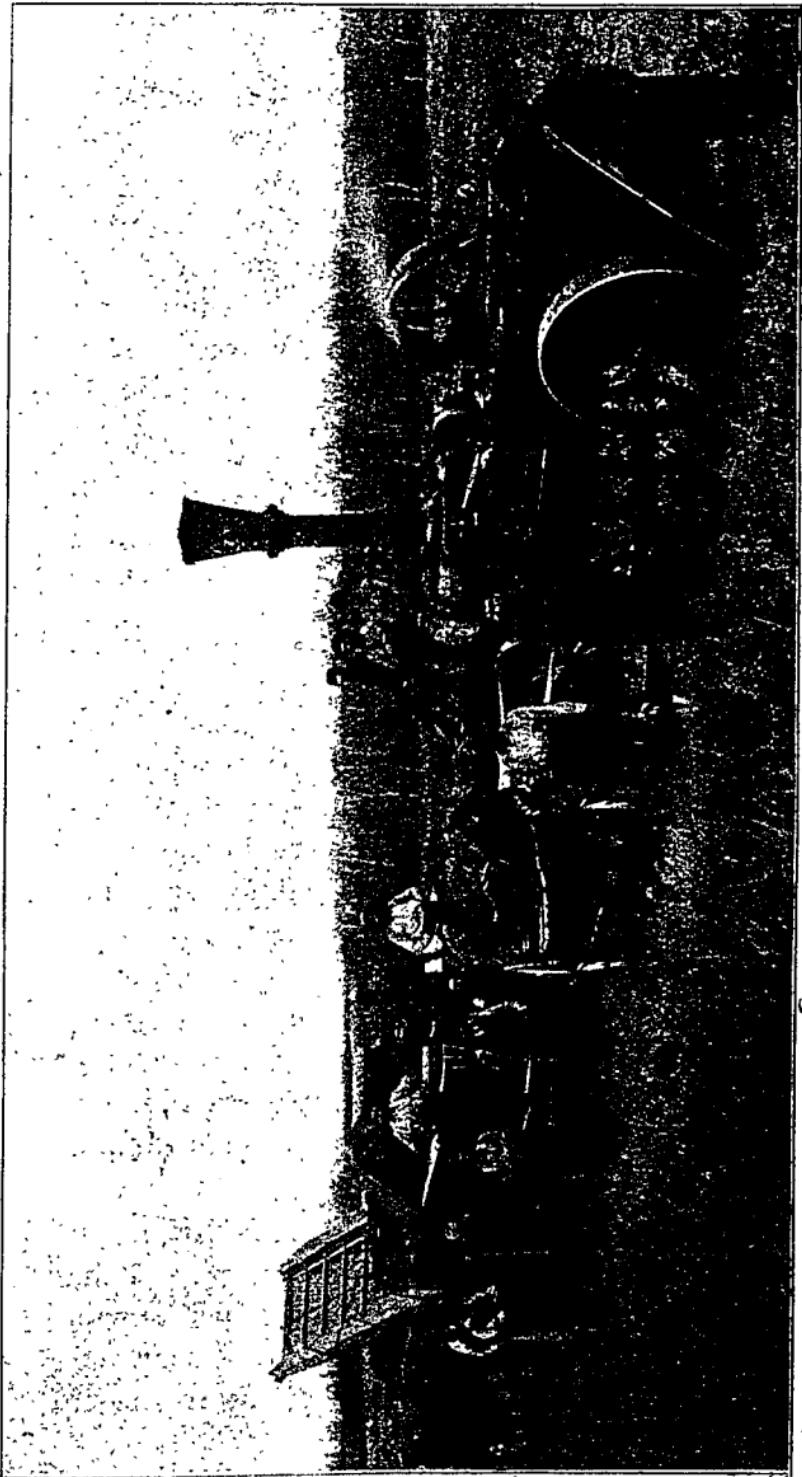
from other cause, no one of the legal representatives makes application to be appointed administrator.

In all matters relating to this question, however, it is well for the settler's family to consult a respectable solicitor as to the exact form in which the different applications for letters-probate or letters of administration should be made to the several courts.

It should be added, however, that in cases where it may appear to the Minister of the Interior that there may be special difficulty in complying with the above provisions, he has power to issue the patent to the person who, during his lifetime, held entry for the land; and the land so granted becomes vested in the heirs the same as if the patent had issued to the deceased homesteader during his lifetime.

HAY.

A settler will find that it is important to provide a good supply of hay for his stock. In case he should have none on his own quarter section, he should apply to the Land Agent, describing the land by quarter-section, section, township, range and meridian, upon which he desires to cut the hay, and the agent will advise him whether the land is vacant and available, and the terms on which he may cut what hay he requires. The Department of the Interior annually fixes the date at which the cutting of hay shall commence, so that the hay may not be cut before it is ripe. A settler



Rose & McLean Thresher, near Fleming, Man.

is not obliged to take a permit, but the settler who does has the exclusive right to the hay on the land covered by the permit.

Leases of hay lands can be obtained where the land desired to be leased is in the vicinity of the settler's homestead, of an area not exceeding forty acres, at the rate of 25 cents an acre per annum, the terms of the lease being five years.

School lands, as already stated, can be leased for hay to the extent of 640 acres, and not less than 160 acres, at the above rate, for a term not exceeding five years.

GRAZING.

Leases for grazing purposes are issued for a term of twenty-one years, and the rental withdrawn for homestead entry, sale or railway purposes, but no rental is charged on such lands from the date upon which they are withdrawn from the lease.

Grazing leases of school lands in the province of Manitoba may be issued for a term of five years, at an annual rental of 6 cents an acre, payable in advance, but the Department may terminate the lease at any time by giving the lessee three months' notice.

Grazing leases of school lands in the North-west Territories are for a term of five years, and the rental is at the rate of 4 cents an acre per annum, payable in advance. The Department may terminate the lease at any time by giving the lessee one year's notice.

Lessees of school lands are not allowed to break up or cultivate any portion of the lands leased.

A lessee of grazing lands is not entitled to the hay thereon, but he may, upon application to the Agent of Dominion Lands, obtain each year the first permit to cut on his leasehold whatever quantity of hay he may require for his own use, free of dues, the Department reserving the right to issue permits to other applicants to cut hay thereon.

FUEL FOR SETTLERS.

Any homesteader having no timber on his homestead may, on application to the local Agent of Dominion Lands, get a permit to cut what he requires for building timber, fencing and fuel for use on his homestead, not exceeding as follows:—

(a) 3,000 lineal feet building timber not exceeding 12 inches at butt end.

(b) 400 roof poles.

(c) 2,000 poplar fence rails, no rail to exceed 5 inches at the butt end.

(d) 30 cords of dry wood.

Burnt or fallen timber up to 7 inches in diameter, for fuel or fencing, and of any diameter for building.

The office fee for the above permit is 25 cents; and any quantity cut in excess or for other purposes is liable to seizure and double dues.

CORRESPONDENCE WITH DEPARTMENT.

The Land Agency Offices have been established at the different centres of settlement so as to give

the settlers as rapid communication with the Department as possible.

If the settler thinks that the matter is one with which the Agent cannot deal, let him write direct to the Commissioner of Dominion Lands or to the Secretary of the Department at Ottawa, observing these rules as far as he can conveniently do so, as it will save the Department much trouble, and ensure prompt attention to his letter:

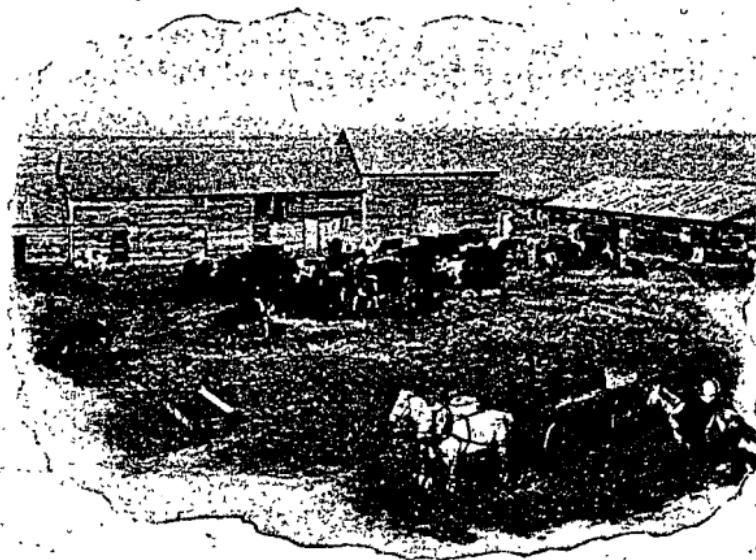
1. Write on foolscap paper and on one side only.
2. Write the address and date plainly.
3. Sign your name in full and plainly.
4. If you are writing about any matter connected with your homestead or other land, describe the land accurately by quarter-section, section, township, range and meridian.
5. As far as possible, confine each letter to one subject.

ENTRY BY AGENT OR ATTORNEY.

If you have any friends that desire to take up homesteads in your neighbourhood, but who are not in a position to go immediately to the Land Office and make entries on their own behalf, get each friend to make a separate application over his own signature to the Commissioner of Immigration at Winnipeg, or to the Department of the Interior at Ottawa, or any other person named by the Minister for the purpose; asking that you may be authorized to make entries in advance on their

behalf, and the requisite authority will be sent to them or to yourself direct. This authority will enable you to select the different quarter-sections as homesteads for your friends and to make entries at the Dominion Lands Office on their behalf; and they will have the usual six months' grace in which to perfect their entries just the same as if they had made the entries for themselves.

This enables a settler to secure homesteads for his friends near himself before they are all taken up in his immediate vicinity and before his friends can make their arrangements to go to the Northwest.



A Stock Farm in Manitoba.

No agent or other officer of the Government is permitted to act as agent or attorney to make homestead entry in advance for an intending settler.

POWERS OF THE MINISTER OF THE INTERIOR.

The Minister of the Interior regulates the settlement of the Dominion Lands in accordance with the spirit and intent of the law, and sees that the settlers, as well as being required to do their homestead duties, are afforded every possible facility in complying with the provisions of the Act. But the Minister of the Interior is bound by that Act, and has no power whatever to either add to or take away from any of its conditions and provisions.

A settler, therefore, must not plead some exceptional circumstance, and expect the Minister to override the law on his behalf. His power is strictly limited to the authority granted to him under the clauses of the Dominion Lands Act, and while he frequently goes to the utmost extent allowed under the law, he is not permitted to go beyond it.

A settler who has relations or friends in other countries will be benefiting himself as well as the country at large by informing them how he himself has prospered, and pointing out the chances for them of making independent and comfortable homes in the great Canadian west.

DOMINION LAND AGENCIES.

On application to the Department at Ottawa, or to any of the Land Agents, the settler will be furnished with a map showing the different Land Agency Districts, the places at which the agents' offices are situated, and the townships surveyed

and ready for settlement up to the latest date. The boundaries of the agencies are, of course, subject to alteration from time to time, and to subdivision into smaller districts, but these changes are always given publicity to by the Department of the Interior, by advertisement in the local newspaper.

Hereunder is a list of the different Local Agencies, with the names of the places at which the Land Offices are situated, and the names of the agent at each place :

District.	Name of Agent.	Post Office Address.
Battleford.....	W. J. Scott.....	Battleford, Saskatchewan.
Calgary.....	J. R. Sutherland.....	Calgary, Alberta.
Coteau.....	D. A. McEwen.....	Alameda, Assiniboina.
Edmonton.....	R. A. Ruttan.....	Edmonton, Man.
Kamloops.....	E. A. Nash.....	Kamloops, B.C.
Dauphin.....	F. K. Herchmer.....	Dauphin, Man.
Lethbridge.....	W. H. Cottingham.....	Lethbridge, Alberta.
Little Saskatchewan.....	John Flesher.....	Minnedosa, Man.
New Westminster.....	John McKenzie.....	New Westminster, B.C.
Prince Albert.....	John McTaggart.....	Prince Albert, Saskatchewan.
Qu'Appelle.....	A. J. Fraser.....	Regina, Assiniboina.
Red Deer.....	J. G. Jessup.....	Red Deer, Alberta.
Souris.....	W. H. Hiam.....	Brandon, Man.
Swift Current.....	Business transacted at W. C. Balinhard.....	Regina, Assiniboina.
Touchwood.....	E. F. Stephenson.....	Yorkton, Assiniboina.
Winnipeg.....		Winnipeg, Man.

IMMIGRATION OFFICIALS.

In addition to the foregoing, the following list of officers of the Department at Ottawa, and agencies may be found of use :—

Jas. A. Smart, Deputy Minister of the Interior, Ottawa ; or

Frank Pedley, Superintendent of Immigration, Ottawa.

W. F. McCreary, Commissioner of Immigration, Winnipeg, Man.

The High Commissioner for Canada, 17 Victoria Street, London, S.W., England.

Canadian Government Office, Liverpool.

James Kirk, Immigration Agent, Halifax.

H. M. Murray, 52 St. Enoch Square, Glasgow, Scotland.

P. Doyle, Immigration Agent, Quebec.

J. Hoolahan, Immigration Agent, Montreal.

S. Gardner, Immigration Agent, St. John, N.B.

M. V. McInnes, No. 1 Merrill Block, Detroit, Michigan, U.S.

D. L. Caven, Bad Axe, Michigan, U.S.

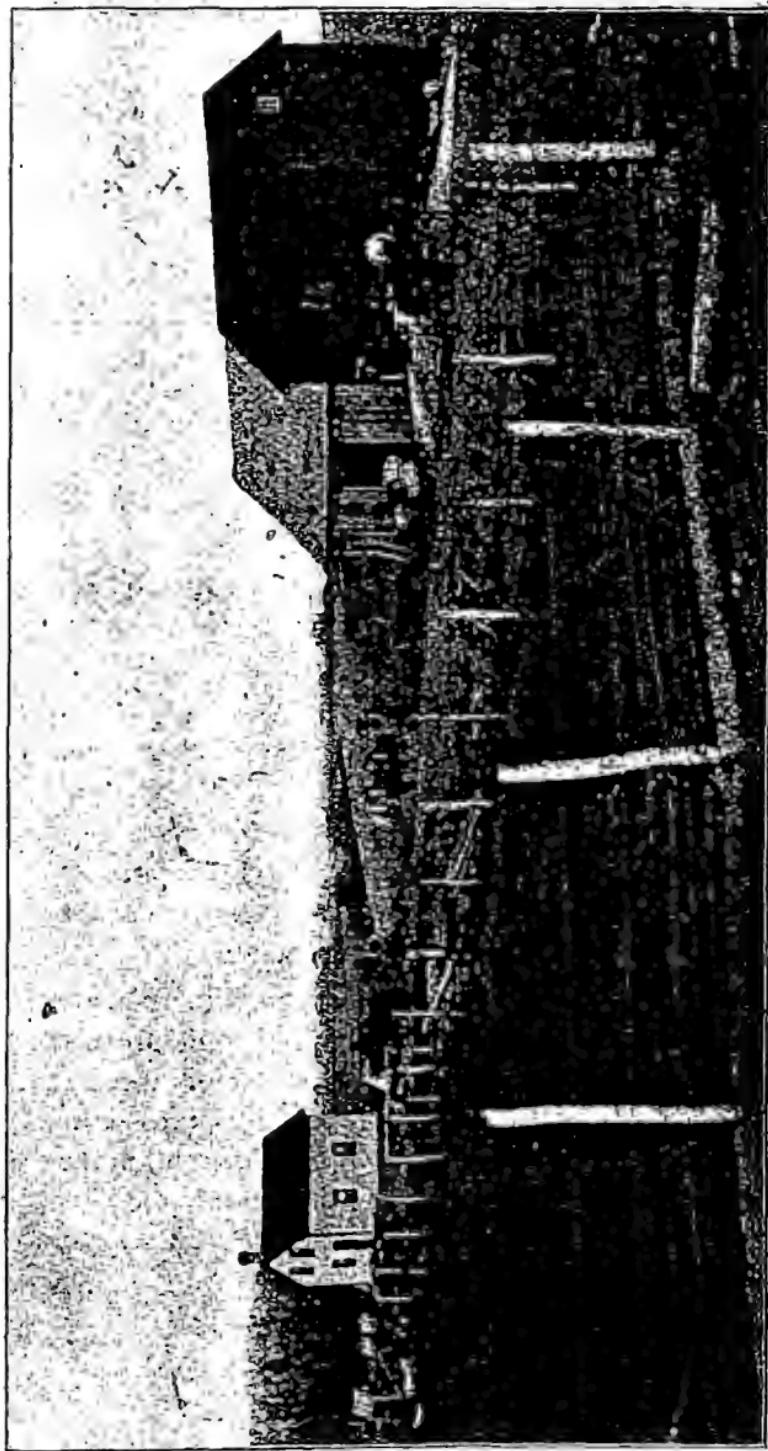
James Grieve, Reed City, Michigan, U.S.

J. S. Crawford, 102 West Ninth Street, Kansas City, Missouri, U.S.

Benjamin Davies, 154 East Third Street, St. Paul, Minn., U.S.

T. O. Currie, Stevens Point, Wisconsin, U.S..

W. D. Whittinger's premises, near Neepawn, Man.



C. J. Broughton, 1223 Monadock Building,
Chicago, Ill., U.S.

W. V. Bennett, 801 New York Life Building,
Omaha, Neb., U.S.

W. H. Rogers, Watertown, South Dakota, U.S.

Alfred S. Rollo, Leuatk Hotel, Boise City,
Idaho, U.S.

N. Batholomew, 306 Fifth Street, Des Moines,
Iowa, U.S.

J. H. M. Parker, 502 Palladio Building, Duluth,
Minn., U.S.

William Ritchie Grafton, North Dakota, U.S.

The Dominion Lands in British Columbia are situated in a belt lying twenty miles on each side of the Canadian Pacific Railway through that province.

This belt is divided into two districts, New Westminster and Kamloops, the boundaries of which are indicated on the Land Agency maps referred to in the next preceding section.

In both districts the lands are held for sale at a minimum rate of \$5 and upwards, but are also open for homesteading, on the same conditions as prevail in regard to homesteads in Manitoba and the North-west Territories, with the exception that the settler is required in addition to pay the Government for the land at the rate of \$1 an acre before the issue of the patent.

FORM OF DIARY.

29

DIARY OF PERFORMANCE OF HOMESTEAD DUTIES.

THREE YEAR SYSTEM.

Settler's Name.....
Land entered for.....
Date of entry,
Date of perfecting entry

HOMESTEAD YEAR.	PERIODS OF RESIDENCE ON HOMESTEAD.	PERIODS OF ABSENCE AND WHERE ABSENT.	TOTAL PERIODS OF RESIDENCE ON HOMESTEAD.				
			1	2	3	4	5
FIRST YEAR.							
SECOND YEAR.							
THIRD YEAR.							
FOURTH YEAR.							

MEMORANDA

0

1

2

3

4

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14

15

MEMORANDA.



A. Patrick's Field of Rye, Calgary.

